

REMARKS

Claims 11 and 12 remain in the application and have been amended hereby.

Reconsideration is respectfully requested of the rejection of claims 11 and 12 under 35 USC 112, second paragraph, as being indefinite.

Claims 11 and 12 have been amended in part to clarify that the attributes are not a subset of the distributed information but correspond to the distributed information.

Further, claims 11 and 12 have been amended in part to clarify that upon the initial storing of the distributed information the attributes are set to an unavailable state and when the accounting points are updated correctly the attributes are set to an available state.

Accordingly, it is respectfully submitted that amended claims 11 and 12 are clear and definite in their recitation of the present invention and meet all requirements of 35 USC 112.

Reconsideration is respectfully requested of the rejection of claims 11 and 12 under 35 USC 102(e), as being anticipated by Peterson '020.

A feature of the data processing method in an accounting system including an accounting center and a terminal device according to the present invention is a step

of transmitting the accounting points stored in a first memory of the terminal device to the accounting center, wherein the accounting center carries out an accounting process based on the accounting points transmitted from the terminal device. See Fig. 9 and pages 39-40 of the present application, for example.

Looking at Peterson '020 we see that there is no step of transmitting the accounting points from the terminal device to the accounting center and no accounting process carried out in the accounting center based on the accounting points transmitted from the terminal device. The system taught by Peterson '020 requires the user to contact the accounting center to purchase a smart card or to set up an account at the accounting center. See col. 7, lines 30-34 and col. 9, lines 51-53 of Peterson '020, for example.

Accordingly, it is respectfully submitted that amended claims 11 and 12 are not anticipated by Peterson '020.

Reconsideration is respectfully requested of the rejection of claims 11 and 12 under 35 USC 103(a), as being unpatentable over "standard accounting practices".

In response to the statement in the Office Action stating that "the standard accounting functions found in claims 10-12 (sic) are admitted prior art", applicant respectfully notes that in response to the first Office

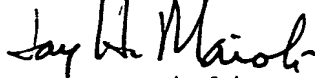
Action (Paper No. 4) the following statement was made: "It is respectfully submitted that the amendments made to the claims hereby place their recitation out of the scope of 'standard accounting practices'". This statement was repeated in response to the previous Office Action (Paper No. 6) and continues to be the position of applicant in response to the present Office Action (Paper No. 11). None of the three Office Actions in this case has described which of the "standard accounting practices" is being used to reject three times amended claims 11 and 12.

Accordingly, it is respectfully submitted that three times amended claims 11 and 12 are patentably distinct over "standard accounting practices".

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADEIN THE CLAIMS

Please amend claims 11 and 12 by rewriting same to read as follows.

--11. (Three Times Amended) A data processing method in an accounting system including an accounting center and a terminal device [for communicating] adapted to communicate with the accounting center, the method comprising the steps of:

storing accounting points in a first memory of the terminal device;

storing distributed information distributed from an external source and attributes corresponding to the distributed information in a second memory of the terminal device and setting the attributes to an unavailable state;

updating the accounting points stored in the first memory of the terminal device and updating the attributes of the distributed information from the unavailable state to an available state when [the distributed information is stored in the second memory of the terminal device, wherein

when the distributed information is stored in the second memory of the terminal device the attributes of the distributed information are updated to an unavailable state,

and

when] the accounting points are updated correctly based on the distributed information [the attributes of the distributed information are updated to an available state]; [and]

transmitting the accounting points stored in the first memory of the terminal device to the accounting center;

carrying out an accounting processing in the accounting center based on the accounting points transmitted from the terminal device.

--12. (Three Times Amended) A data processing method in an accounting system including an accounting center and a terminal device [capable of communicating] adapted to communicate with the accounting center, the method comprising the steps of:

storing accounting points in a first memory of the terminal device;

storing distributed information distributed from an external source and attributes corresponding to the distributed information in a second memory of the terminal device and setting the attributes to an unavailable state;

updating the accounting points stored in the first memory of the terminal device and updating the attributes of

the distributed information from the unavailable state to an available state when the accounting points are updated correctly based on the distributed information [is stored in the second memory];

making a request for purchasing the accounting points to the accounting center and updating the accounting points stored in the first memory based on an accounting processing corresponding to the accounting points executed at the accounting center, wherein

[when the distributed information is stored in the second memory of the terminal device the attributes of the distributed information are updated to an unavailable state, and]

when the accounting points are not updated correctly based on the distributed information a request is made by the terminal device to the accounting center for purchasing the accounting points, the accounting points are updated in the terminal device and the attributes of the distributed information are updated to an available state; and

carrying out an other accounting processing in the accounting center based on the request for purchasing the accounting points transmitted from the terminal device.--